



**TOWN OF SHIRLEY  
CONSERVATION COMMISSION**  
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## **MEETING MINUTES**

### **Shirley Town Office 1st Floor – Board of Select Board Meeting Room January 11, 2022 @ 6:30 PM**

**CALL TO ORDER:** Bob Burkhardt called to order at 6:35 PM.

**MEMBERS PRESENT:** Jennifer McGuinness (JM), Chair (arrived 6:40 PM); Bob Burkhardt (BB), Vice Chair; Marie Elwyn (ME) via ZOOM, Member; and Cindy Phelps (CP) via ZOOM, Member

**NOT PRESENT:** Susan Gillham (SG), Member; Betsy Colburn-Mirkovic, Associate Member; Heidi Ricci, Associate Member

**ALSO PRESENT:** Mike Fleming, Conservation Agent; and via ZOOM - Sherry Anders, Greenway Committee; Wendy Gendron, Aquatic Restoration Consulting, LLC; Joanne Smith, 23 Cranberry St. Pepperell, MA - Realtor for 140 Groton Rd; Tammy & Martin LaPorte, Acton, MA; Joanna Bilotta, LSIC President, 362 Sunset Lane, Lunenburg, MA

**ANNOUNCEMENT:** BB read announcement - *This meeting is being recorded and may be shown live on the local broadcast channel by Shirley Media and recorded for internet access. The Town has tested our ability to cablecast a live meeting on Channel 99, and it is functioning. This will permit anyone to view a live Cablecast meeting as it occurs on channel 99. Those who do not have Comcast can also watch live by going to the Shirley Media website: <https://www.shirleymedia.org/>*

*Once you are at the Shirley Media website you will see at the top of the screen a row of tabs indicating different services and channels. You need to click on the tab that says LIVE. The live tab will show what is currently streaming live on channel 99 - if a meeting is live it will be shown live.*

*This meeting is being recorded using an audio recorder and video recorded via ZOOM. Any audience member recording (audio or video) must notify the Chair. The items listed on this agenda are those reasonably anticipated by the Chair, which may be discussed at the meeting. Not all items listed may, in fact, be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.*

Everyone participating via ZOOM is asked to type in their name and address (Shirley residents) or affiliation in the Chat. Everyone participating in-person is asked to sign in on the sign-in sheet at the meeting room entrance.

**MINUTES FOR REVIEW / APPROVAL:** JM opened discussion. CC discussed. **M/S/V** - Motion by CP, 2nd by ME to approve the November 12, 2019, October 22, 2019, October 8, 2019, and September 10, 2019 minutes. JM asked CC members to vote. ME – y, BB – abstain, CP – y, JM – y. Motion passed. JM signed. CC Members participating via ZOOM will stop by Town Office Building and sign the minutes.

- September 10, 2019 (review, approve, & signatures)
- October 8, 2019 (review, approve, & signatures)
- October 22, 2019 (review, approve, & signatures)
- November 12, 2019 (review, approve, & signatures)
- December 14, 2021 (review, approve, & signatures): CC discussed. **M/S/V** - Motion by CP, 2nd by ME to approve the December 14, 2021 minutes. JM asked CC members to vote. ME – y, BB – y, CP – y, JM – y. Motion passed unanimously. CC members present signed. CC Members participating via ZOOM will stop by Town Office Building and sign the minutes.

**ACCOUNTS PAYABLE:** JM opened discussion.

- Bills / Invoices / Reimbursements
  - Oxbow Associates, Inc. / 13 Burrage Road Peer Review / Invoice #s 11935 / \$1,292.50: MF reviewed with CC members CC members discussed. **M/S/V** - Motion by CP, 2nd by ME to approve paying this bill / invoice. BB asked CC members to vote. ME – y, BB – y, CP – y, JM – y. Motion passed unanimously. CC members present signed.

**BUDGET:** JM opened discussion.

- FY23 Capital Request Budget / Form: MF reviewed with CC Members. CC members discussed. No requests offered.
- Warrant Article(s) / Annual Town Meeting: MF reviewed with CC Members. MF asked if the CC planned to submit a request for the "Conservation Land Acquisition Fund" (CLAF). CC members discussed. Sherry reported that the Greenway

Committee is working on land protection projects that may require use of the CLAF. Action Item: MF will check on the balance in the CLAF with the Town Accountant Office and report back to the CC at the January 25<sup>th</sup> CC meeting.

**NEW WETLANDS BUSINESS:** JM opened discussion.

- Request for Certificate of Compliance (RCOC) / 140 Groton Road (93-A-10.2) / Norton / COC: JM read agenda item. MF previously e-mailed CC members RCOC and Certificate of Compliance to CC members. JM asked for a motion to approve the COC. **M/S/V** - Motion by CP, 2nd by ME to approve the Certificate of Compliance. JM asked CC members to vote. ME – y, BB – y, CP – y, JM – y. Motion passed unanimously. CC members present signed. CC Members participating via ZOOM will stop by Town Office Building and sign the COC.
- 2021 Lake Shirley Annual Report / Lake Shirley Improvement Corporation / review / comments: JM read agenda item and introduce Wendy Gendron, Aquatic Restoration Consulting. Wendy reviewed annual report via a powerpoint presentation with CC members. CC members discussed. Questions asked about public outreach to help control nutrient pollution and spread of invasive aquatic plants and other organisms. Wendy provided response to the questions. Joanne Bilotta, President of the Lake Shirley Improvement Corporation commented on outreach efforts and 5 year extension. OOC #284-0474 expires on 11/26/2022.

**OLD WETLANDS BUSINESS:** BB opened discussion.

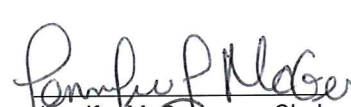

- Enforcement Order - 44 Horse Pond Road (63-A-26) / OOC #284-0430 / Shawn Hillman: MF reported that he has not had time to schedule appointment. MF suggested scheduling sometime in the spring once wetland plats are visible.

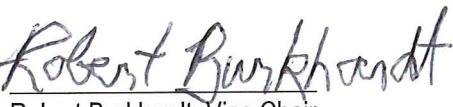
**OTHER CONSERVATION BUSINESS:** JM opened discussion.

- Longley Acres
  - 5-year License Agreements / House & Barn / Hay Fields / status: Nothing reported.
  - House / Barn Maintenance / Carpentry, Painting, etc. / status: Nothing to report.
  - Community Garden / Caretaker Responsibilities / Draft Flyer / Ground Rules for 2022: MF reviewed previously e-mailed 2022 flyer & ground rules with CC Members. CC Members discussed. Action Item: MF will follow-up with Steve & Kim Hampson to clarify start date (when can gardener start getting plots ready, if you do not do so your plot will be forfeited?), add post when too muddy to enter (signs and cones), payment must be received by? (if not will plot be forfeited?), edit 1<sup>st</sup> bullet to be more direct (i.e. – no lighting is available or allowed before dawn or after dusk. Gardening (entering the premises) outside these hours is not permitted. )and finalize the ground rules for this year and post on the CC website. MF reported that the Hampson's reported they have commitments for all 11 plots for this season.
- Forest Management
  - Pumpkin Brook Link Conservation Area / Turtle Habitat / status: Nothing to report.
  - DCR Community Forest Implementation Grant / Post-harvesting Outreach & Education: Nothing to report.
- Land Management
  - Pumpkin Brook Link Conservation Area / MassWildlife request for use of old landing area for Squannacook WMA Ecological Restoration Project: Nothing to report.
  - Conservation Restrictions / Annual Monitoring / Intern Summary Report - Recommendations / Mr. Mapper – Assessors: MF provided update on adding CR to Mr. Mapper. CC Members discussed. Action Item: MF will follow-up with Town Assessor on expenses associated with adding the CR information to the Mr. Mapper program and report back at the January 25<sup>th</sup> CC meeting.
- Greenway Committee
  - Community Garden (Bemis?): MF and Sherry Anders, Chair discussed meeting with CC members.
  - Invasive Species (Volunteer Group/Grants): Sherry Anders, Chair provided update. Pepperell has established advisory committee that Shirley can learn from and has offered letting Shirley borrow weed wrench tools.
  - Student Conservation Association / AmeriCorps: MF reviewed programs and discussed with CC members.
  - Land Acquisition / MA EEA L.A.N.D. Grant: Sherry Anders, Chair reported on 2 potential projects with CC members.
- Town Permits
  - NA
- Conservation Commission Vacancies (2): BB announced vacancies.
- Miscellaneous and not reasonably anticipated items: JM open discussion on the items below. JM asked if anyone has anything they wish to bring to the attention of the Conservation Commission.
  - Shirley Non-zoning Wetland Bylaws / Fines / Citations: MF will follow-up at next CC meeting.
  - Conservation Database update / expenses: Action Item: MF will follow-up at the January 25<sup>th</sup> CC meeting.

- Conservation Secretary position: Nothing reported.
- Community Preservation Act Study Committee: ME has decided to serve on the study committee.
- Internships: Nothing reported. Action Item: MF will follow-up at the January 25<sup>th</sup> CC meeting.
- Upcoming / Past Events & Meetings: BB announced meetings / events. BB asked if anyone has a meeting or event they would like to announce.
  - Shirley Conservation Commission / Shirley Town Office Building / 1<sup>st</sup> floor / January 25, 2022 at 6:30 PM
  - 7<sup>th</sup> Annual Open Space Conference / Webinar Series & Online Networking / Thursday's in February: 3<sup>rd</sup>, 10<sup>th</sup>, 17<sup>th</sup>, 24<sup>th</sup> / Webinars 12:00 PM – 1:30 PM – Networking 1:35 PM – 2:20 PM / Information & Registration available at: [www.massopenspace.org](http://www.massopenspace.org)

**ADJOURNMENT:** JM asked for a motion to adjourn. **M/S/V** - Motion by CP, 2nd by ME to adjourn. JM asked CC members to vote. Roll call of vote: CP – y, ME – y, BB – y and JM - y. Motion passed unanimously. Meeting adjourned at 8:05 PM.

  
 Jennifer McGuinness, Chair  
  
 Marie Elwyn

  
 Robert Burkhardt, Vice Chair  
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 Cynthia Phelps

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 Susan Gillham

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 Vacant

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 Vacant

Respectfully submitted,  
 Jennifer McGuinness, Chair

APPROVED BY SHIRLEY CONSERVATION COMMISSION ON 1/25/2022  
 GIVEN TO SHIRLEY TOWN CLERK ON 2/15/2022

**Received**

**FEB 15 2022**

**Shirley Town Clerk**